

Remarks

Claims 1 - 22 have been canceled from the present invention and rewritten as new claims 23 - 54 to more precisely claim the present invention. Claim 23 - 54 remain pending in the application.

Information Disclosure Statement

The Examiner noted that the prior submitted Information Disclosure Statement (IDS) failed to comply with certain formal requirement. The references cited on the prior IDS along with a new reference are being submitted together with this Amendment. Applicant believes that this new IDS overcomes the objections noted by the Examiner.

Amendments to Specification

The Examiner objected to the abstract as being a copy of claim 1. A new abstract is being submitted with this response to overcome this objection to the abstract. In addition, the title has been changed to reflect the scope of the new claims.

35 U.S.C. §101

The Examiner rejected claim 11 (which is similar to new claim 33), under 35 U.S.C. 101 as being directed to a computer readable medium for indicia of the method, which is a non-statutory subject matter. The Applicant respectfully points out that this type of claim has been determined to cover patentable subject matter by the courts. See for example the decision in the case of In re Beauregard, 35 USPQ2d 1383 (1995). In view of the foregoing, the Applicant requests reconsideration and withdrawal of the rejection of any of the new claims 23-54 under 35 USC 101 as being directed to non-statutory subject matter.

35 U.S.C. §103

Claims 1 -22 were rejected under 35 USC §103(a) as being unpatentable over Fong et al 6,678,867 and Jammes et al. 6,484,149. Claims 1 -22 are now canceled and new claims 23-54 have been added. With respect to new claims 23-54, the Applicant believes that the cited references, when combined, fail to teach or suggest all of the elements of the presently pending claims. In view of the amendments to independent claims 23, 32, 40, and 48, Applicant respectfully

suggests that Fong 867 and Jammes 149 when considered individually or together in combination, fail to suggest or teach all of the elements of the presently pending claims. For example, neither Fong 867 nor Jammes 149 form a unique key from a set of three elements (i.e., a group name, a subgroup name, and a sequence element) as presently claimed in the independent claims. Subsequently, neither Fong 867 nor Jammes 149 retrieve or update a data store using the unique key as presently claimed in the independent claims.

Claims 24-31 depend from claim 23 and therefore are allowable over the Fong 867 and Jammes 149 for the same reasons that claim 23 is allowable. Claims 33-39 depend from claim 32 and therefore are allowable over the Cited References for the same reasons that claim 32 is allowable. Claims 41-47 depend from claim 40 and therefore are allowable over the Cited References for the same reasons that claim 40 is allowable. Claims 49-54 depend from claim 48 and therefore are allowable over the Cited References for the same reasons that claim 48 is allowable.

Therefore, under 35 USC §103(a) Fong 867 and Jammes 149 fail to teach the present invention as claimed in claims 23-54 and a notice of allowance is respectfully requested.

The Applicant has reviewed the other references cited the by Examiner and determined that they do not teach or suggest the present invention.

Conclusion

On the basis of the foregoing, Applicant respectfully submits that claims 23 - 54 are now believed to be in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Ora International, Inc.
By attorneys/agents:

MOORE, HANSEN & SUMNER, PLLP
225 South Sixth Street
Suite 4850
Minneapolis, Minnesota 55402
(612) 332-8200

Date: 30 September 2005

By 
Shawn B. Dempster , Registration No. 34,321